



U.S. Department of Justice

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Eastern District of Pennsylvania

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FOR IMMEDIATE RELEASE

July 14, 2009

PRESS RELEASE

PHILADELPHIA - United States Attorney Michael Levy today announced the filing of a superseding indictment¹ charging Maurice Lynch with knowingly violating the requirements of a Clean Air Act Permit by failing to perform required air emissions inspections, knowingly making false statements in monitoring reports required by the CAA, and obstruction of an agency proceeding, arising from his work as the former Environmental and Safety Manager for the Diageo North America, Inc., alcoholic beverage manufacturing plant located in Lehigh County, Pennsylvania.

The Clean Air Act is the primary federal statute enacted to address air pollution, and relies on a permitting system pursuant to which sources of air pollution are authorized to emit designated levels of air pollutants. In or about June of 1998, the Diageo plant was issued a permit which required Diageo to conduct weekly monitoring of equipment to determine the presence of fugitive and visible air emissions, and to maintain records of such monitoring. As the Environmental and Safety Manager for the plant, Lynch was responsible for ensuring that such weekly fugitive and visible air emissions monitoring was conducted and that monitoring records were maintained.

The superseding indictment alleges that from April 29, 2005 to November 11, 2005, weekly air emissions monitoring was not performed at the Diageo plant. On November 14, 2005, the Pennsylvania Department of Environmental Protection ("PADEP") conducted an inspection of the plant to determine Diageo's compliance with its permit requirements. In order to conceal from PADEP and the EPA that Diageo was not in compliance with the Permit, the defendant allegedly ordered two employees to assist him in creating false monitoring reports for the time period of, on, or about, April 29, 2005, through, on, or about, November 11, 2005. These reports falsely stated that weekly fugitive and visible air emissions monitoring had been performed. According to the superseding indictment, during the November 14, 2005 inspection, defendant Maurice Lynch presented these false monitoring reports to the PADEP inspector with the intent of obstructing and impeding Pennsylvania and the federal government's investigation of the company's compliance with its Permit .

¹An Indictment or Information is an accusation. A defendant is presumed innocent unless and until proven guilty.

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INFORMATION REGARDING THE DEFENDANT

NAME	ADDRESS	AGE OR YEAR OF BIRTH
Maurice Lynch	Lancaster, Pennsylvania	36 years old

If convicted, the defendant faces a maximum possible sentence of 12 years imprisonment, a three-year period of supervised release, a \$750,000 fine, and a \$200 special assessment.

The case was investigated by U.S. Environmental Protection Agency - Criminal investigations Divisions - Region III, and is being prosecuted by Special Assistant United States Attorney Joseph J. Lisa.

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